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09/583,048	05/30/2000	Andrew Szabo	SZABO212A	1077

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EXAMINER	
WONG, LESLIE	

ART UNIT	PAPER NUMBER
2164	

DATE MAILED: 11/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/583,048	SZABO, ANDREW	
	Examiner	Art Unit	
	Chongshan Chen	2162	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *22 August 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-32* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-32* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *3/22/2001*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to Amendment filed on August 22, 2005. Claims 1-32 are pending in this Office Action.

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on March 22, 2001 is being considered by the examiner.

Claim Objections

3. Claim 32 is objected to because of the following informalities: The preamble is unclear. Please add the purpose/usage for the method in the preamble. Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1-32 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

6. Claim 1 recites the limitation "the user" in line 3 of claim 1. There is insufficient antecedent basis for this limitation in the claim.

7. Claims 5 and 13 recite the limitation "the user-defined search criteria" in line 2 of claims 5 and 13. There are insufficient antecedent basis for this limitation in the claims.

8. Claim 15 recites the limitation "the user-defined content criteria" in line 3 of claim 15. There is insufficient antecedent basis for this limitation in the claim.

9. Claim 19 recites the limitation "the presented links" in line 8 of claim 19. There is insufficient antecedent basis for this limitation in the claim.

10. Claim 22 recites the limitation "the user-defined content criteria" in lines 3-4 of claim 22. There is insufficient antecedent basis for this limitation in the claim.

11. Claim 31 recites the limitation "the user-defined search criteria" in line 2 of claim 31. There is insufficient antecedent basis for this limitation in the claim.

12. Please review all other claims and correct all other lack of antecedent basis problems.

Claim Rejections - 35 USC § 101

13. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

14. Claim 32 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

MPEP 2106 IV. B.2. (b)

A claim that requires one or more acts to be performed defines a process. However, not all processes are statutory under 35 U.S.C. 101. Schrader, 22 F.3d at 296, 30 USPQ2d at 1460. To be statutory, a claimed computer-related process must either: (A) result in a physical transformation outside the computer for which a practical application in the technological arts is either disclosed in the specification or would have been known to a skilled artisan, or (B) be limited to a practical application within the technological arts.

Claim 32, in view of the above cited MPEP section, is not statutory because they merely recite a number of computing steps without producing any tangible result and/or being limited to a practical application within the technological arts. All the recited steps of the method can be done by a person as a mental step or using pencil and paper. The use of a computer has not been indicated.

Double Patenting

15. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970);and, *In re Thorington,* 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

16. Claims 1-26 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-32 of U.S. Patent No. US 6,868,525 B1. Although the conflicting claims are not identical, they are not patentably distinct from each other because following reasons:

Claim 1 of the instant application substantially recites the limitations of claim 1 of US Patent 6,868,525 B1. The claim merely omits certain the underlined limitations and replaces the bolded limitations as shown in the comparison table 1 below.

Instant Application Claim 1	**US Patent 6,868,525 B1 Claim 1**
1. A method of providing a human-computer user interface, comprising the steps of: (a) providing the user with a user interface for defining and retrieving objects based on a resource locator thereof; (b) providing access to an object search engine for selecting objects from a set of objects, according to a user-defined information content criteria, and returning at least respective resource locators of selected objects; and (c) presenting to the user **at least three of the selected objects** according to a hierarchal organizational structure **having at least three hierarchal levels, a respectively lower level falling within a respectively higher level having a generic characteristic**, wherein a selected object is automatically placed within the hierarchal organizational structure based on respective information content of the at least two selected objects, to thereby group objects having an information content relation and classify characteristics of objects within classes.	1. A method of providing a human-computer user interface, comprising the steps of: (a) receiving an input through a user interface providing the user with navigational tools for defining and retrieving objects based on a resource locator thereof; (b) providing an object search engine for selecting a set of objects according to a user-defined content criteria from a larger set of objects including objects of varying relevance to the user-defined content criteria accessed through the user interface and returning respective resource locators of selected objects, the object search engine employing at least first and second algorithms for selecting respectively different portions of the set of objects; (c) providing a hierarchal organizational structure for the set of selected respective resource locators of selected objects, having at least two resource locators for objects organized within a single hierarchal level, for presentation to the user through the user interface, wherein resource locators for objects selected according to the first algorithm are automatically organized within the hierarchal organizational structure based on an associated object content, and resource locators for objects selected according to the second algorithm are automatically organized within the hierarchal organizational structure based on at least one criterion independent of an associated object content.

Table 1

It would have been obvious to one of ordinary skill in the art of data processing at the time the invention was made to modify the cited steps as indicated claim 1 of the US Patent Application since the omission and addition of the cited limitations would have not changed the

process according to which the method for providing a human-computer user interface. Therefore, the ordinary skill artisan would have been also motivated to modify claim 1 of the cited US patent Application by replacing "presenting to the user **at least three of the selected objects** according to a hierarchal organizational structure **having at least three hierarchal levels, a respectively lower level falling within a respectively higher level having a generic characteristic**" with "providing a hierarchal organizational structure for the set of selected respective resource locators of selected objects, having at least two resource locators for objects organized within a single hierarchal level, for presentation to the user through the user interface, wherein resource locators for objects selected according to the first algorithm are automatically organized within the hierarchal organizational structure based on an associated object content, and resource locators for objects selected according to the second algorithm are automatically organized within the hierarchal organizational structure based on at least one criterion independent of an associated object content". The cited omitting elements would not interfere with the functionality of the steps previously claimed and would perform the same function. In re Karlson, 136 USPQ 184 (CCPA 1963).

The dependent claims 2-26 of the instant application are rejected for fully incorporating the errors of their respective base claims by dependency.

17. Claims 27-31 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 33-37 of U.S. Patent No. US 6,868,525 B1. Although the conflicting claims are not identical, they are not patentably distinct from each other because following reasons:

Claim 27 of the instant application substantially recites the limitations of claim 33 of US Patent 6,868,525 B1. The claim merely omits certain the underlined limitations and replaces the bolded limitations as shown in the comparison table 2 below.

Instant Application Claim 27	**US Patent 6,868,525 B1 Claim 33**
27. A system for providing a human-computer user interface, comprising: (a) a set of navigational tools for defining an retrieving objects based on a resource locator thereof; (b) an interface of an object search engine for selecting a set of objects according to a user-defined information content criteria and returning respective resource locators of selected objects; and (c) an output, presenting selected objects automatically located within a hierarchal organizational structure based on an information content of respective objects, **a respectively lower hierarchal level falling within a respectively higher hierarchal level having a generic characteristic, wherein objects having related information content are grouped together and each group represents an information classification**.	33. A system for providing a human-computer user interface, comprising: (a) a set of navigational tools for defining and retrieving objects based on a resource locator thereof; (b) an object search engine for selecting a set of objects according to a user-defined content criterion and returning respective resource locators of selected objects, the object search engine employing at least first and second schemes for selecting objects; and (c) means for presenting a hierarchal organizational structure for the set of selected objects, <u>wherein at least one level of the hierarchal organizational structure has at least two objects organized therein, and wherein at least a portion of the selected objects are organized within the hierarchal organizational structure based on an associated content and a respective scheme employed to select that object, the hierarchal organizational structure further including at least one object extrinsic to the selected objects</u>.

Table 2

It would have been obvious to one of ordinary skill in the art of data processing at the time the invention was made to modify the cited steps as indicated claim 27 of the US Patent Application since the omission and addition of the cited limitations would have not changed the process according to which the method for providing a human-computer user interface. Therefore, the ordinary skill artisan would have been also motivated to modify claim 27 of the

cited US patent application by replacing "**a respectively lower hierarchal level falling within a respectively higher hierarchal level having a generic characteristic, wherein objects having related information content are grouped together and each group represents an information classification**" with "wherein at least one level of the hierarchal organizational structure has at least two objects organized therein, and wherein at least a portion of the selected objects are organized within the hierarchal organizational structure based on an associated content and a respective scheme employed to select that object, the hierarchal organizational structure further including at least one object extrinsic to the selected objects". The cited omitting elements would not interfere with the functionality of the steps previously claimed and would perform the same function. In re Karlson, 136 USPQ 184 (CCPA 1963).

The dependent claims 28-31 of the instant application are rejected for fully incorporating the errors of their respective base claims by dependency.

18. Claim 32 is rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 48-54 of U.S. Patent No. US 6,868,525 B1. Although the conflicting claims are not identical, they are not patentably distinct from each other because following reasons:

Claim 32 of the instant application substantially recites the limitations of claim 48 of US Patent 6,868,525 B1. The claim merely omits certain the underlined limitations and replaces the bolded limitations as shown in the comparison table 3 below.

Instant Application Claim 32	**US Patent 6,868,525 B1 Claim 48**
32. A method, comprising the steps of: (a) receiving a user input for selecting objects from a set of objects having varying relevance to the user input;	55. A method, comprising the steps of: (a) receiving an input from a user comprising a content selection criteria;

(b) selecting objects from the set of objects according to a correspondence between the user input and an information content associated with respective objects; (c) automatically organizing the selected objects within classes of a taxonomic hierarchy according to a respective information content, **the taxonomic hierarchy having at least three levels, a class at a respective level meeting a classification generic for a respective class at inferior level classification below it, and objects at a same inferior level within different classes not being generic for each other**; and (d) **outputting representations of the selected objects organized within the taxonomic hierarchy**.	(b) selecting a set of objects in dependence on the content selection criteria; (c) automatically populating a hierarchal organizational structure with the selected objects, in dependence on an associated selected object content; and (d) additionally automatically populating the hierarchal organization structure with a set of additional objects selected independent of an associated selected object content, the additional objects being populated in dependence on a relation of a respective additional object and the input, wherein the hierarchal organization structure has at least one level having at least two objects.

Table 3

It would have been obvious to one of ordinary skill in the art of data processing at the time the invention was made to modify the cited steps as indicated claim 32 of the US Patent Application since the omission and addition of the cited limitations would have not changed the process according to which the method for organizing objects within classes of a hierarchy. Therefore, the ordinary skill artisan would have been also motivated to modify claim 32 of the cited US patent application by omitting "**the taxonomic hierarchy having at least three levels, a class at a respective level meeting a classification generic for a respective class at inferior level classification below it, and objects at a same inferior level within different classes not being generic for each other; and (d) outputting representations of the selected objects organized within the taxonomic hierarchy**". The cited omitting elements would not interfere with the functionality of the steps previously claimed and would perform the same function. In re Karlson, 136 USPQ 184 (CCPA 1963).

Claim Rejections - 35 USC § 103

19. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

20. Claims 1-9 and 12-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hazlehurst et al. (hereinafter "Hazlehurst", US 5,974,412) in view of Hao et al. (hereinafter "Hao", US 6,377,287 B1).

As per claim 1, Hazlehurst discloses a method of providing a human-computer user interface, comprising the steps of:

(a) providing the user with a user interface for defining and retrieving objects based on a resource locator thereof (Hazlehurst, col. 1, line 64 – col. 2, line 24, col. 20, lines 15-38);

(b) providing access to an object search engine for selecting objects from a set of objects, according to a user-defined information content criteria, and returning at least respective resource locators of selected objects (Hazlehurst, col. 1, line 64 – col. 2, line 24, col. 20, lines 15-38).

Hazlehurst teaches classifying the query results and presenting the query results to the user. However, Hazlehurst does not explicitly teach presenting to the user at least three of the selected objects according to a hierarchal organizational structure having at least three hierarchal levels, a respectively lower level falling within a respectively higher level having a generic characteristic, wherein a selected object is automatically placed within the hierarchal

organizational structure based on respective information content of the at least two selected objects, to thereby group objects having an information content relation and classify characteristics of objects within classes. Hao teaches presenting to the user at least three of the selected objects according to a hierarchal organizational structure having at least three hierarchal levels, a respectively lower level falling within a respectively higher level having a generic characteristic, wherein a selected object is automatically placed within the hierarchal organizational structure based on respective information content of the at least two selected objects, to thereby group objects having an information content relation and classify characteristics of objects within classes (Hao, Fig. 3, col. 3, lines 1-28, Hao presents the objects according to a hierarchal organizational structure, the hierarchal structure has at least three levels. The first level is "MS products", element 20 "Office Product" is the second level, and elements 46, 48, 50, 52, 54 56 are the third level. The higher level has a generic characteristic, such as the products are developed by MS). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Hazlehurst by incorporating the multi-level hierarchal structure as disclosed by Hao. The motivation being to clearly present the structure and relationship between different objects.

As per claim 2, Hazlehurst and Hao teach all the claimed subject matters as discussed in claim 1, and further teach inserting objects extrinsic to the user-defined information content criteria into the hierarchal organization structure of selected objects (Hazlehurst, col. 1, line 64 – col. 2, line 24, col. 20, lines 15-38).

As per claim 3, Hazlehurst and Hao teach all the claimed subject matters as discussed in claim 2, and further teach the extrinsic objects comprise commercial message (Hazlehurst, col. 2, lines 48-56, col. 10, lines 22-35, col. 23, lines 1-14).

As per claim 4, Hazlehurst and Hao teach all the claimed subject matters as discussed in claim 2, and further teach the extrinsic objects comprises objects identified through a collaborative filter process (Hazlehurst, col. 27, line 10 – col. 28, line 36).

As per claim 5, Hazlehurst and Hao teach all the claimed subject matters as discussed in claim 2, and further teach the extrinsic objects are contextually related to the user-defined search criteria (Hazlehurst, col. 7, lines 53-62, col. 22, lines 31-61).

As per claim 6, Hazlehurst and Hao teach all the claimed subject matters as discussed in claim 2, and further teach the extrinsic objects are contextually appropriate for a positioning within the hierarchal organizational structure (Hazlehurst, col. 1, line 64 – col. 2, line 24).

As per claim 7, Hazlehurst and Hao teach all the claimed subject matters as discussed in claim 1, and further teach the hierarchal organizational structure comprises a tree structure displaying at least three hierarchal levels within a graphic user interface (Hao, Fig. 3).

As per claim 8, Hazlehurst and Hao teach all the claimed subject matters as discussed in claim 1, and further teach the hierarchal organizational structure comprises a hyperbolic tree structure (Hao, abstract; Fig. 3, col. 1, lines 6-67; col. 2, lines 1-21, 56-67).

As per claim 9, Hazlehurst, and Hao teach all the claimed subject matters as discussed in claim 1, and further teach the hierarchal organization structure comprises a display generated by a hyperbolic tree applet (Hao, col. 7, lines 37-41).

As per claim 12, Hazlehurst and Hao teach all the claimed subject matters as discussed in claim 3, and further teach the extrinsic objects are identified through a collaborative filter process (Hazlehurst, col. 27, line 10 – col. 28, line 36).

As per claim 13, Hazlehurst and Hao teach all the claimed subject matters as discussed in claim 3, and further teach the extrinsic objects are contextually related to the user-defined search criteria (Hazlehurst, col. 7, lines 53-62, col. 22, lines 31-61).

As per claim 14, Hazlehurst and Hao teach all the claimed subject matters as discussed in claim 1, and further teach the hierarchal organizational structure comprises a state independent information object (Hao, Fig. 3, col. 3, lines 1-67).

As per claim 15, Hazlehurst and Hao teach all the claimed subject matters as discussed in claim 1, and further teach the step of ranking members of the set of objects within a single hierarchal class based on a correspondence to the user-defined content criteria (Hazlehurst, col. 2, lines 3-38, col. 3, lines 21-30).

As per claim 16, Hazlehurst and Hao teach all the claimed subject matters as discussed in claim 1, and further teach receiving a ranking preference from the user for a ranking method for ranking members of the set of objects within a single hierarchal class (Hazlehurst, col. 2, lines 3-38, col. 3, lines 21-30).

As per claim 17, Hazlehurst and Hao teach all the claimed subject matters as discussed in claim 1, and further teach graphically representing a history of access to the set of objects (Hao, Fig. 3, col. 3, lines 1-67).

As per claim 18, Hazlehurst and Hao teach all the claimed subject matters as discussed in claim 1, and further teach manipulating an object within the hierarchal organizational structure

through a graphic user interface, and requesting information content corresponding to the manipulated object (Hao, Fig. 3, col. 3, lines 1-67).

As per claim 19, Hazlehurst and Hao teach all the claimed subject matters as discussed in claim 1, and further teach at least two distinct predetermined hierarchical organizations of information are provided, each having at least three hierarchal levels for a universe of objects, further comprising the steps of: selecting a relevant hierarchy from among the at least two distinct predetermined hierarchical organizations of information; displaying links to the selected objects according to the relevant hierarchy; and storing at least a subset of the presented links within the relevant hierarchy as a state independent object (Hao, Fig. 3, col. 3, lines 1-67).

As per claim 20, Hazlehurst and Hao teach all the claimed subject matters as discussed in claim 1, and further teach defining a user profile, for modifying at least one of the selection by the object search engine, and a hierarchy (Hazlehurst, col. 8, lines 4-11, col. 9, lines 53-64, Hao, Fig. 3).

As per claim 21, Hazlehurst and Hao teach all the claimed subject matters as discussed in claim 1, and further teach presenting the hierarchal organization structure with an applet, wherein the returned respective resource locators of selected objects are transmitted to the applet, which formats the set of objects in the graphic format hierarchal organizational structure, based on a relationship of a content corresponding to each object (Hao, Fig. 3, col. 7, lines 38-40).

As per claim 22, Hazlehurst and Hao teach all the claimed subject matters as discussed in claim 1, and further teach providing an adaptive user profile applet, comprising a collaborative filter for initial classification, which is subsequently modified based on user observation, wherein

the user-defined content criteria is based on an explicit user input and a function of the adaptive user profile applet (Hazlehurst, col. 3, lines 21-33).

As per claim 23, Hazlehurst and Hao teach all the claimed subject matters as discussed in claim 1, and further teach defining the hierarchal organizational structures as a user taxonomic hierarchy of interests, correlating the user taxonomic hierarchy with a set of reference taxonomic hierarchies, and modify the user taxonomic hierarchy based on sets of rules associated with a reference taxonomic hierarchies having high correlations (Hazlehurst, col. 2, lines 8-21, col. 7, lines 32-40, col. 26, line 30 – col. 28, line 37).

As per claim 24, Hazlehurst and Hao teach all the claimed subject matters as discussed in claim 1, and further teach wherein at least one object has an associated digital rights rule, further comprising the step of applying digital rights rules to accesses of objects by the user (Hazlehurst, col. 24, lines 40-65).

As per claim 25, Hazlehurst, and Hao teach all the claimed subject matters as discussed in claim 24, and further teach wherein at least one digital rights rule provides a positive incentive to the user (Hazlehurst, col. 24, lines 40-65).

Claims 26-31 are rejected on grounds corresponding to the reasons given above for claims 1-5.

As per claim 32, Hazlehurst discloses a method, comprising the steps of:

(a) receiving a user input for selecting objects from a set of objects having varying relevance to the user input (Hazlehurst, col. 1, line 64 – col. 2, line 24, col. 20, lines 15-38);

(b) selecting objects from the set of objects according to a correspondence between the user input and an information content associated with respective objects (Hazlehurst, col. 1, line 64 – col. 2, line 24, col. 20, lines 15-38).

Hazlehurst teaches automatically organizing the objects (Hazlehurst, col. 1, line 64 – col. 2, line 24, col. 3, lines 8-38, classifying), however, Hazlehurst does not explicit teaches automatically organizing the selected objects within classes of a taxonomic hierarchy according to a respective information content, the taxonomic hierarchy having at least three levels, a class at a respective level meeting a classification generic for a respective class at inferior level classification below it, and objects at a same inferior level within different classes not being generic for each other; and outputting representations of the selected objects organized within the taxonomic hierarchy. Hao teaches automatically organizing the selected objects within classes of a taxonomic hierarchy according to a respective information content, the taxonomic hierarchy having at least three levels, a class at a respective level meeting a classification generic for a respective class at inferior level classification below it, and objects at a same inferior level within different classes not being generic for each other; and outputting representations of the selected objects organized within the taxonomic hierarchy (Hao, Fig. 3, col. 3, lines 1-28, Hao presents the objects according to a hierarchal organizational structure, the hierarchal structure has at least three levels. The first level is "MS products", element 20 "Office Product" is the second level, and elements 46, 48, 50, 52, 54 56 are the third level. The higher level has a generic characteristic, such as the products are developed by MS). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the

system of Hazlehurst by incorporating the multi-level hierarchal structure as disclosed by Hao. The motivation being to clearly present the structure and relationship between different objects.

21. Claims 10 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hazlehurst et al. (hereinafter "Hazlehurst", US 5,974,412) in view of Hao et al. (hereinafter "Hao", US 6,377,287 B1) and Hanson et al. (hereinafter "Hanson", US 5,974,398).

As per claim 10, Hazlehurst and Hao teach all the claimed subject matters as discussed in claim 3, except for explicitly disclosing charging a commercial message sponsor for delivery of commercial messages based on a semantic context of message delivery. Hanson teaches charging a commercial message sponsor for delivery of commercial messages based on a semantic context of message delivery (Hanson, col. 1, lines 38-62). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Hazlehurst and Hao's combined system by incorporating a method for paying for delivery of commercial messages as disclosed by Hanson. The motivation being to improve the business profit.

As per claim 11, Hazlehurst and Hao teach all the claimed subject matters as discussed in claim 3, except for explicitly disclosing charging a commercial message sponsor for delivery of commercial messages based on a value of a subsequent commercial transaction with the user. Hanson teaches charging a commercial message sponsor for delivery of commercial messages based on a value of a subsequent commercial transaction with the user (Hanson, col. 1, lines 38-62, col. 5, lines 3-67). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Hazlehurst and Hao's combined system by

incorporating a method for paying for delivery of commercial messages as disclosed by Hanson. The motivation being to improve the business profit.

Response to Arguments

22. Applicant's arguments with respect to claims 1-32 have been considered but are moot in view of the new ground(s) of rejection.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chongshan Chen whose telephone number is (571) 272-4031. The examiner can normally be reached on Monday - Friday (8:00 am - 4:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Chongshan Chen
October 22, 2005

JEAN M. CORRIELUS
PRIMARY EXAMINER